

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>GREGORY WOODS,</b>	:	<b>CIVIL ACTION NO. 1:07-CV-0084</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>CAPT. CHIARELLI, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 31st day of May, 2007, upon consideration of plaintiff's motion for appointment of counsel (Doc. 26), and it appearing from the complaint (Doc. 1), amended complaint (Doc. 15), and motions (Docs. 18, 19), filed by plaintiff, that plaintiff is capable of properly and forcefully prosecuting his claims with adequate factual investigation and appropriate citations to governing authority and that resolution of the facial merit of plaintiff's claims neither implicates complex legal or factual issues nor requires factual investigation or the testimony of expert witnesses, see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel)<sup>1</sup>, it is hereby ORDERED that the motion (Doc. 26) is

---

<sup>1</sup>Recently, in a "Not Precedential" opinion, a panel of the United States Court of Appeals for the Third Circuit indicated that the district court should also consider its willingness to aid the indigent party in presenting his or her case in the courtroom and the availability of attorneys willing to take § 1915(e) appointments. Gordon v. Gonzalez, No. 04-4623, 2007 WL 1241583, at \*2 (3d Cir. Apr. 30, 2007).

DENIED. If further proceedings demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of plaintiff. See id.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge